

Biotech ordered to pay \$78M to Pinellas firm

■ The total damages in the patent infringement case are among the highest in recent history.

By KRIS HUNDLEY
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A federal jury in Miami on Wednesday ordered a California biotech to pay \$30-million in punitive damages to the owners of a struggling drug company in Pinellas Park, raising damages in the patent infringement case to \$78-million.

Arriva Pharmaceuticals Corp. of Alameda, Calif., and Spinelli

Corp., an Arizona private investigation firm it hired, were found guilty last month of unfair competition, stealing trade secrets and interfering with the business of AlphaMed Pharmaceutical Corp. owned by John Lezdey and his sons, Darren and Jarett.

At the end of the three-month trial in December, the jury ordered Arriva to pay the Lezdeys \$48-million in compensatory damages. With the addition of Wednesday's punitive damages, the case represents one of the 100 highest nonpersonal injury awards in recent history, according to VerdictSearch in New York.

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Damages from 1D

A lawyer for Arriva declined to comment, saying several motions are pending in the case.

Jarett Lezdey said the jury's decision was a "blow against corrupt corporate America everywhere."

"They were spending millions to bury my family and we wouldn't stop," said Lezdey, 39. He said his family simply wants to pursue commercialization of the protein alpha 1-Antitrypsin, or AAT, that John

Lezdey patented with a partner in the mid 1980s. The partner later licensed the patent to Arriva without the senior Lezdey's approval, leading to the long-running legal dispute. Arriva and Baxter Healthcare Corp. completed successful clinical trials in early 2004 for use of AAT in the treatment of emphysema.

"We don't care about the money," said Jarett Lezdey on Wednesday. "We want to finally get this drug out to people who need it."

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